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LETTER DATED 3 DECEMBER 1998 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 3 December 1998 from Mr. Tariq Aziz, Deputy Prime Minister of the Republic of Iraq, concerning the contacts which the Special Commission had illegally, without consulting the Security Council or the United Nations Secretariat, with foreign intelligence services (of the United States of America and Israel) and the dangers this poses to Iraq's national security, and containing an appeal for the adoption of urgent measures to put an end to such contacts and for the establishment of rules to prevent the recurrence of such practices.

I should be grateful if you would have the text of this letter and its annex circulated as a document of the Security Council.

Accept, Sir, the assurances of my highest consideration.

(Signed) Nizar HAMDOON
Permanent Representative

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Annex I

Letter dated 3 December 1998 from the Deputy Prime Minister of Iraq addressed to the Secretary-General

In my letters dated 30 September and 16 October 1998, I addressed the issue of the contacts between the United Nations Special Commission (UNSCOM) and the intelligence services of States that are politically hostile to Iraq, a matter of deep concern to us as it is closely linked to Iraq's national security. I also sought in the two letters to draw attention to the question of the credibility of the United Nations and the negative impact of such contacts on its moral authority, and on the public perception of how international officials working under United Nations auspices discharge their duties, and of their integrity.

In the wake of a string of worldwide revelations, everyone now knows about the contacts that took place between UNSCOM inspectors and foreign intelligence services hostile to Iraq (for example, Inspector Scott Ritter's statements to the Israeli newspaper Ha'aretz, published in the Washington Post on 29 September 1998, and the article published in The New Yorker in its issue of 9 November 1998).

These contacts are an opportunity for the Special Commission to provide to the intelligence services of certain States (the United States and Israel) and to exchange with them sensitive information which it possesses concerning Iraq and national security. The Special Commission went so far as to review its working methods in Iraq with these intelligence services.

These contacts are more dangerous than was previously thought, for the International Herald Tribune revealed in its edition of 10 November 1998 information concerning the United States plan for military aggression against Iraq, which was to have commenced on 14 November 1998, and reported that military intelligence on the Iraqi military structure which had been gathered during United Nations inspections carried out since 1992 had been used in the planning of the attack.

This means that information on Iraq which the Special Commission obtains under the cover of Security Council resolutions is passed on to the Pentagon and that United States military planning is based on it. Moreover, the Special Commission's work in Iraq, according to what was published in The New Yorker on 9 November 1998, has in fact become intelligence work, the Special Commission has become an intelligence body, and the former Executive Chairman, the current Executive Chairman and the Deputy Executive Chairman decided to have illegal contacts with foreign intelligence services without consulting the Security Council or the United Nations Secretariat.

On 20 November 1998, members of the Special Commission took part in a broadcast of the CNN programme "Newsstand", during which a documentary on the activities of the inspection teams was shown, with photographs taken by the inspection teams of Iraqi engineers and substances turned over to the Special Commission. The fact that such photographs were given to the media without

requesting the view of the Iraqi side proves that the Special Commission, which is deemed to be neutral, has taken part in a tendentious campaign against Iraq. In so doing, it has violated the commitments it made to the Iraqi side not to use information gathered by the inspectors for any purpose other than disarmament. It should also be mentioned that the Deputy Executive Chairman of the Special Commission, Mr. Charles Duelfer, went to London last week, where he met the chairman of one of the Iraqi opposition groups, who discussed with him information concerning the work of the Special Commission.

These facts are buttressed by proof, and their proliferation and recurrence highlight the basic flaw in the Special Commission's working methods, namely, that in the absence of a body responsible for monitoring it, it has become an organization that neither the Security Council nor the United Nations Secretariat controls, one whose methods imperil the credibility and honourableness of the United Nations.

The Memorandum of Understanding signed with you on 23 February 1998 states as follows: "In the performance of its mandate under the Security Council resolutions, UNSCOM undertakes to respect the legitimate concerns of Iraq relating to national security, sovereignty and dignity". We had hoped that favourable consideration would be given to our request to launch an official inquiry into the conduct of the Special Commission, its methods of work and associations. In our view, the recent revelations of the International Herald Tribune, The New Yorker and other publications make such an inquiry even more necessary.

The Special Commission's conduct raises another important issue to which we have long drawn attention, notably in 1997 and in early 1998. I refer to the work of "experts" from the United States and the United Kingdom who are members of the Special Commission and to their true role within the Commission. The information referred to above indicates that most of these "experts" are military or intelligence officers from the United States and the United Kingdom and it is a matter of grave concern that they should be members of the Special Commission even as the United States and the United Kingdom continue their military attacks on Iraq. We hope that urgent measures will be taken to put an end to the contacts between the Special Commission and intelligence services, especially those belonging to States that are hostile to Iraq, and that rules will be instituted to prevent any recurrence of this practice and to protect the information obtained from Iraq so that it could be reviewed and utilized only with your authorization or that of the Security Council. We also attach great importance to the issue of the review of the membership of the Special Commission and its personnel.

Accept, Sir, the assurances of my highest consideration.

(Signed) Tariq AZIZ
Deputy Prime Minister